

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YEHUDA SIGALIT,
Plaintiff,
-against-
JOSSEF KAHLON,
Defendant.

JOSSEF KAHLON,
Counterclaim Plaintiff,
-against-
YEHUDA SIGALIT and AVRAHAM YEHUDA,
Counterclaim Defendants.

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DOC #: _____
DATE FILED: 3/3/2025

21-CV-08921 (MMG)

ORDER FOR
SANCTIONS

MARGARET M. GARNETT, United States District Judge:

As described in the Court's Order of February 25, 2025 (Dkt. No. 121), on January 10, 2025, the Court ordered Mr. Kahlon to personally appear at the February 25, 2025 conference if he had failed to comply fully with Judge Torres' August 30, 2023 Order (Dkt. No. 82) and with this Court's orders regarding production of documents and/or provision of a satisfactory affidavit from the January 10, 2025 conference. Mr. Kahlon did not appear at the February 25 conference, and his counsel represented to the Court that Mr. Kahlon intended to appear but had unexpectedly fallen ill and was unable to be present. The Court then ordered Mr. Kahlon to file a sworn affidavit, under penalty of perjury, attaching any relevant supporting documentation, regarding the reason why he failed to appear at the February 25 conference, and to file such affidavit no later than February 28, 2025. *See* Dkt. No. 121. To date, Mr. Kahlon has not filed any such affidavit nor sought an extension of the time to file.

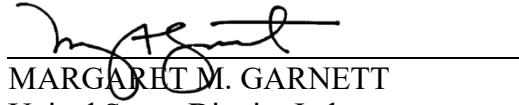
Under Rule 16(f)(1) of the Federal Rules of Civil Procedure, “[o]n motion or on its own, the court may issue any just orders, including those authorized by Rule 37(b)(2)(A)(ii)-(vii), if a party or its attorney . . . fails to appear at a scheduling or other pretrial conference; . . . or . . . fail to obey a scheduling or other pretrial order.” *See* Fed. R. Civ. P. 16(f)(1). Further, “[i]nstead of or in addition to any other sanction, the court must order the party, its attorney, or both to pay the reasonable expenses—including attorney’s fees—incurred because of any noncompliance with this rule, unless the noncompliance was substantially justified or other circumstances make an award of expenses unjust.” *See* Fed. R. Civ. P. 16(f)(2).

Accordingly, in light of Mr. Kahlon's failure to comply, without justification, with (i) the Court's order at the January 10, 2025 conference regarding his personal appearance at the February 25 conference; and (ii) the Court's Order of February 25, 2025 (Dkt. No. 121), giving Mr. Kahlon an opportunity to explain his absence, it is hereby ORDERED that Defendant Kahlon is sanctioned in the sum of **\$500**. Payment shall be made to the Clerk of Court no later than **March 17, 2025**, or further sanctions may be forthcoming.

Nothing in this Order relieves Mr. Kahlon of the obligation to file the sworn affidavit described in the Court's February 25, 2025 Order. Further sanctions will follow if the affidavit is not filed by **Wednesday, March 5, 2025**.

Dated: March 3, 2025
New York, New York

SO ORDERED.



MARGARET M. GARNETT
United States District Judge